

House File 347 - Introduced

HOUSE FILE 347

BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 9)

A BILL FOR

1 An Act relating to the licensure of child care programs
2 operated or contracted for by a school district or
3 accredited nonpublic school and including effective date
4 provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 237A.1, subsection 3, paragraph b, Code
2 2015, is amended by striking the paragraph.

3 Sec. 2. Section 279.49, subsection 1, Code 2015, is amended
4 by striking the subsection.

5 Sec. 3. Section 279.49, subsections 2 and 3, Code 2015, are
6 amended to read as follows:

7 2. The board of directors of a school corporation may
8 operate or contract for the operation of a program to provide
9 child care to children not enrolled in school or to students
10 enrolled in kindergarten through grade six before and after
11 school, or to both. Programs operated or contracted by a board
12 shall ~~either meet standards for child care programs adopted~~
13 ~~by the state board of education or shall~~ be licensed by the
14 department of human services under chapter 237A as a child
15 care center unless the program is exempt from licensure under
16 chapter 237A. ~~A program operated by a board under contract~~
17 ~~which is not located on property owned or leased by the board~~
18 ~~must be licensed by the department of human services.~~

19 3. a. The person employed to be responsible for a program
20 operated or contracted by a board ~~that is not licensed by the~~
21 ~~department of human services shall be an appropriately licensed~~
22 ~~teacher under chapter 272 or shall meet other standards adopted~~
23 ~~by the state board of education~~ collaborate with that board in
24 the operation of that program.

25 b. An employee of a program operated or contracted by a
26 board shall be subject to a background investigation at least
27 once every five years after the employee's initial date of
28 hire.

29 Sec. 4. Section 280.3A, Code 2015, is amended to read as
30 follows:

31 **280.3A Accredited nonpublic school child care programs.**

32 Authorities in charge of an accredited nonpublic ~~schools~~
33 school may operate or contract for the operation of a child
34 care ~~programs, as defined program, as described~~ in section
35 279.49, ~~subsection 1.~~ The provisions of section 279.49 as

1 they relate to child care programs of a school corporation and
2 its board of directors apply to the child care programs of the
3 accredited nonpublic school and the authority in charge.

4 Sec. 5. EFFECTIVE DATE AND IMPLEMENTATION. This Act takes
5 effect January 1, 2016, except that the department of human
6 services may begin implementation prior to January 1, 2016, to
7 the extent necessary to transition to full implementation of
8 the provisions of this Act.

9

EXPLANATION

10 The inclusion of this explanation does not constitute agreement with
11 the explanation's substance by the members of the general assembly.

12 Under current law, either the department of human services
13 (DHS) or the department of education (DE) is required to
14 license a child care program operated by or contracted for by a
15 school district or accredited nonpublic school to provide child
16 care to children not enrolled in school or to students enrolled
17 in kindergarten through grade six before and after school, or
18 to both.

19 The bill provides that DHS shall be the only state agency
20 responsible for the licensure of such child care programs and
21 requires DHS to issue such licenses.

22 The bill provides that an employee of a program operated
23 or contracted by a board shall be subject to a background
24 investigation at least once every five years after the
25 employee's initial date of hire.

26 Conforming Code changes are made striking Code section
27 237A.1, subsection 3, paragraph "b", relating to the definition
28 of "child care" for purposes of DHS licensure and DE child care
29 programs provided for under Code sections 279.49 and 280.3A,
30 striking references in Code section 279.49 relating to child
31 care programs not licensed or approved by DHS, and amended Code
32 section 280.3A relating to accredited nonpublic school child
33 care programs.

34 The bill takes effect January 1, 2016, except that DHS may
35 begin implementation prior to that date.